

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JAVIER DIAZ-RAMOS,

Petitioner,

v.

ALBERTO R. GONZALES,* Attorney
General,

Respondent.

No. 02-71208

Agency No.
A75-482-334

ORDER

Filed April 13, 2005

Before: Alfred T. Goodwin, Robert R. Beezer, and
Diarmuid F. O'Scannlain, Circuit Judges.

ORDER

In light of *Lanza v. Ashcroft*, 389 F.3d 917 (9th Cir. 2004), the motion of the Attorney General to remand this case to the Board of Immigration Appeals for a clarification of the grounds for its affirmance of the Immigration Judge's denial of Diaz-Ramos' cancellation of removal application is GRANTED. This Court will not entertain any further appeals by petitioner concerning whether his removal would result in exceptional and extremely unusual hardship to his United States citizen children. 8 U.S.C. § 1252(a)(2)(b); *see Romero-Torres v. Ashcroft*, 327 F.3d 887, 888 (9th Cir. 2003).

The case, presently set for oral argument on April 15, 2005,

*Alberto R. Gonzales is substituted for his predecessor, John Ashcroft, as Attorney General of the United States, pursuant to Fed. R. App. P. 43(c)(2).

in San Francisco, California, is removed from the oral argument calendar.

VACATED and REMANDED.

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